

**USPTO Intellectual Property Leadership (Policy) Management Program**

**Exhibit 300: Part I: Summary Information and Justification (All Capital Assets)**

**I.A. Overview**

<b>1. Date of Submission:</b>	12/29/2006
<b>2. Agency:</b>	Department of Commerce
<b>3. Bureau:</b>	US Patent and Trademark Office
<b>4. Name of this Capital Asset:</b>	USPTO Intellectual Property Leadership (Policy) Management Program
<b>5. Unique Project (Investment) Identifier: (For IT investment only, see section 53. For all other, use agency ID system.)</b>	006-51-01-06-01-8007-00

**6. What kind of investment will this be in FY2008? (Please NOTE: Investments moving to O&M ONLY in FY2008, with Planning/Acquisition activities prior to FY2008 should not select O&M. These investments should indicate their current status.)**

Mixed Life Cycle

**8. Provide a brief summary and justification for this investment, including a brief description of how this closes in part or in whole an identified agency performance gap:**

The implementation of the Intellectual Property Leadership (Policy) Management Support System (IPLMSS) supports the activities of the U.S. Patent and Trademark Office to provide for intellectual property protection through processes that enable applicants to protest the issuance or denial of patents and the granting or denial of trademarks in those instances when the art already exists. Furthermore, applicants may protest by legal means the infringement upon a patent or trademark. IPLMSS enables the USPTO to manage the eligibility of licensed practitioners and provides for international legal interaction with other intellectual property organizations. IPLMSS provides for automated record keeping and document management across the business area. The USPTO is evolving from an environment of stand-alone, non-integrated manual processes and automated systems to protect the intellectual property of inventors and to manage the participation of practitioners. This evolution features the creation of automated systems in an integrated information processing environment by replacing paperbound processes. Adjudicated Case Tracking System (ACTS) enables the Board of Patent Appeals and Interferences (BPAI) to process and track the status of official decisions pertaining to patent appeals and interferences. The ACTS has gradually evolved as an e-government system that provides automated support to the Board of Patent Appeals and Interferences (BPAI) process. The Interferences process is partially automated with full electronic filing and processing and scheduled for FY 2007. The Electronic System for Trademark Trials and Appeals (ESTTA) provides integrated information support to the Trademark Trial and Appeal Board (TTAB) in the electronic filing process. ESTTA is accessible to public users via PTO's Internet and conforms to the security requirements and practices applicable to USPTO automated information systems (AISs). The Trademark Trials and Appeals Board Information System (TTABIS) provides integrated information support to the Trademark Trials and Appeals Board (TTAB) in processing and tracking all proceedings before TTAB. Support includes generating actions, tracking the status of proceedings, recording data and issuing reports. The Office of Enrollment and Discipline Information System (OEDIS) provides automation support to the Office of Enrollment and Discipline (OED) in carrying out its responsibilities.

<b>9. Did the Agency's Executive/Investment Committee approve this request?</b>	Yes
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**a. If "yes," what was the date of this approval?**

9/11/2006

<b>10. Did the Project Manager review this Exhibit?</b>	Yes
<b>12. Has the agency developed and/or promoted cost effective, energy efficient and environmentally sustainable techniques or practices for this project.</b>	No
<b>a. Will this investment include electronic assets (including computers)?</b>	No
<b>b. Is this investment for new construction or major retrofit of a Federal building or facility? (answer applicable to non-IT assets only)</b>	No
<b>1. If "yes," is an ESPC or UESC being used to help fund this investment?</b>	No
<b>2. If "yes," will this investment meet sustainable design principles?</b>	No
<b>3. If "yes," is it designed to be 30% more energy efficient than relevant code?</b>	
<b>13. Does this investment support one of the PMA initiatives?</b>	Yes
<b>If "yes," check all that apply:</b>	Expanded E-Government
<b>13a. Briefly describe how this asset directly supports the identified initiative(s)?</b>	The IPLMP supports the President's Management Agenda by implementation of e-Government. It replaces the manual record keeping and process tracking through implementation of automated case tracking systems, automated record keeping of practitioner status and automated processing of interference claims.
<b>14. Does this investment support a program assessed using the Program Assessment Rating Tool (PART)? (For more information about the PART, visit <a href="http://www.whitehouse.gov/omb/part">www.whitehouse.gov/omb/part</a>.)</b>	No
<b>a. If "yes," does this investment address a weakness found during the PART review?</b>	No
<b>b. If "yes," what is the name of the PART program assessed by OMB's Program Assessment Rating Tool?</b>	
<b>c. If "yes," what PART rating did it receive?</b>	
<b>15. Is this investment for information technology?</b>	Yes
If the answer to Question: "Is this investment for information technology?" was "Yes," complete this sub-section. If the answer is "No," do not answer this sub-section.	
<b>For information technology investments only:</b>	
<b>16. What is the level of the IT Project? (per CIO Council PM Guidance)</b>	Level 1
<b>17. What project management qualifications does the Project Manager</b>	(1) Project manager has been validated as qualified for this investment

have? (per CIO Council PM Guidance):	
18. Is this investment identified as "high risk" on the Q4 - FY 2006 agency high risk report (per OMB's "high risk" memo)?	No
19. Is this a financial management system?	No
a. If "yes," does this investment address a FFMIA compliance area?	
1. If "yes," which compliance area:	
2. If "no," what does it address?	
b. If "yes," please identify the system name(s) and system acronym(s) as reported in the most recent financial systems inventory update required by Circular A-11 section 52	
20. What is the percentage breakout for the total FY2008 funding request for the following? (This should total 100%)	
Hardware	0
Software	52
Services	48
Other	0
21. If this project produces information dissemination products for the public, are these products published to the Internet in conformance with OMB Memorandum 05-04 and included in your agency inventory, schedules and priorities?	N/A
22. Contact information of individual responsible for privacy related questions:	
Title	Privacy Officer
23. Are the records produced by this investment appropriately scheduled with the National Archives and Records Administration's approval?	Yes

#### I.B. Summary of Funding

Provide the total estimated life-cycle cost for this investment by completing the following table. All amounts represent budget authority in millions, and are rounded to three decimal places. Federal personnel costs should be included only in the row designated "Government FTE Cost," and should be excluded from the amounts shown for "Planning," "Full Acquisition," and "Operation/Maintenance." The total estimated annual cost of the investment is the sum of costs for "Planning," "Full Acquisition," and "Operation/Maintenance." For Federal buildings and facilities, life-cycle costs should include long term energy, environmental, decommissioning, and/or restoration costs. The costs associated with the entire life-cycle of the investment should be included in this report.

Table 1: SUMMARY OF SPENDING FOR PROJECT PHASES (REPORTED IN MILLIONS) (Estimates for BY+1 and beyond are for planning purposes only and do not represent budget
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decisions)									
	PY - 1 and Earlier	PY 2006	CY 2007	BY 2008	BY + 1 2009	BY + 2 2010	BY + 3 2011	BY + 4 and Beyond	Total
Planning									
Budgetary Resources	0	0	0	0					
Acquisition									
Budgetary Resources	5.12579	1.09515	2.00777	2.11196					
Subtotal Planning & Acquisition									
Budgetary Resources	5.12579	1.09515	2.00777	2.11196					
Operations & Maintenance									
Budgetary Resources	3.46454	4.45836	3.25061	6.53477					
TOTAL									
Budgetary Resources	8.59033	5.55351	5.25838	8.64673					
Government FTE Costs									
Budgetary Resources	1.32939	0.83258	1.13474	1.3814					
Number of FTE represented by Costs:	0	7	9	12					

**Note: For the cross-agency investments, this table should include all funding (both managing partner and partner agencies). Government FTE Costs should not be included as part of the TOTAL represented.**

**2. Will this project require the agency to hire additional FTE's?**

No

**a. If "yes," How many and in what year?**

**3. If the summary of spending has changed from the FY2007 President's budget request, briefly explain those changes:**

Not applicable

## I.C. Acquisition/Contract Strategy

1. Complete the table for all (including all non-Federal) contracts and/or task orders currently in place or planned for this investment. Total Value should include all option years for each contract. Contracts and/or task orders completed do not need to be included.

Contracts/Task Orders Table:

Row Number	Contract or Task Order Number	Type of Contract/ Task Order	Has the contract been awarded?	If so what is the date of the award? If not, what is the planned award date?	Start date of Contract / Task Order	End date of Contract / Task Order	Total Value of Contract/ Task Order	Is this an Interagency Acquisition?	Is it performance based?	Competitively awarded?	What, if any, alternative financing option is being used?	Is EV M in the contract?	Does the contract include the required security and privacy clauses?	Name of CO	CO Contact information (email)	Contracting Officer Certification Level	If N/A, has the agency determined the CO assigned has the competencies and skills necessary to support this acquisition?
1	DOC50PAPT201025	Time and Materials	Yes	7/3/2002	7/2/2002	6/30/2012	160.28	No	Yes	Yes	NA	No	Yes	Etzel, Page A.	page.etzel@uspto.gov	Level 3	Yes
2	DOC50PAPT0501005	Cost Plus Fixed Fee	Yes	12/17/2004	12/17/2004	12/31/2012	280.95	No	Yes	Yes	NA	No	Yes	Weibel, Richard	richard.weibel@uspto.gov	Level 2	Yes
3	DOC50PAPT0501004	Cost Plus Fixed Fee	Yes	12/17/2004	12/17/2004	12/31/2012	251.18	No	Yes	Yes	NA	No	Yes	Brown, Marva	marva.brown@uspto.gov	Level 3	Yes
4	DOC50PAPT201006	Cost Plus Award Fee	Yes	9/27/2002	10/1/2002	9/30/2007	72.21	No	Yes	Yes	NA	No	Yes	Smith, Hope	hope.smith@uspto.gov	Level 2	Yes
5	DOC50PAPT201026	Cost Plus Award Fee	Yes	9/27/2002	10/1/2002	9/30/2007	56.43	Yes	No	No	NA	No	Yes	Van Dyke, Sylvia	sylvia.vandyke@uspto.gov	Level 3	Yes
6	DOC50PAPT0401006	Cost Plus Fixed Fee	Yes	4/29/2004	7/1/2004	6/30/2009	45.6	No	No	Yes	NA	No	Yes			Level 3	Yes

**2. If earned value is not required or will not be a contract requirement for any of the contracts or task orders above, explain why:**

A proposed amendment to the Federal Acquisition Regulation (FAR Case 2004-019) to standardize EVM contract policy across the government was published in the Federal Register on April 8, 2005. The rule proposes standard EVMS provisions, a standard clause, and a requirement for acquisition plans to include the planning for conducting compliance reviews and Integrated Baseline Reviews. The current USPTO IT contracts listed in the previous table were negotiated in 2004 or earlier and do not include language requiring Earned Value. However, USPTO will make an attempt to renegotiate the existing contracts to build in an EVM reporting requirement. In addition, going forward USPTO will require Earned Value in all of its new or extended contracts.

<b>3. Do the contracts ensure Section 508 compliance?</b>	Yes
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**a. Explain why:**

All applicable COTS software procured under this project and all software developed by USPTO contractors are required to be 508 compliant. In accordance with our LCM methodology, all software is tested for 508 compliance prior to release for production use.

<b>4. Is there an acquisition plan which has been approved in accordance with agency requirements?</b>	Yes
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**a. If "yes," what is the date?**

10/1/2003

<b>b. If "no," will an acquisition plan be developed?</b>	
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**1. If "no," briefly explain why:**

**I.D. Performance Information**

In order to successfully address this area of the exhibit 300, performance goals must be provided for the agency and be linked to the annual performance plan. The investment must discuss the agency's mission and strategic goals, and performance measures must be provided. These goals need to map to the gap in the agency's strategic goals and objectives this investment is designed to fill. They are the internal and external performance benefits this investment is expected to deliver to the agency (e.g., improve efficiency by 60 percent, increase citizen participation by 300 percent a year to achieve an overall citizen participation rate of 75 percent by FY 2xxx, etc.). The goals must be clearly measurable investment outcomes, and if applicable, investment outputs. They do not include the completion date of the module, milestones, or investment, or general goals, such as, significant, better, improved that do not have a quantitative or qualitative measure.

Agencies must use Table 1 below for reporting performance goals and measures for all non-IT investments and for existing IT investments that were initiated prior to FY 2005. The table can be extended to include measures for years beyond FY 2006.

Performance Information Table 1:					
Fiscal Year	Strategic Goal(s) Supported	Performance Measure	Actual/baseline (from Previous Year)	Planned Performance Metric (Target)	Performance Metric Results (Actual)

All new IT investments initiated for FY 2005 and beyond must use Table 2 and are

required to use the Federal Enterprise Architecture (FEA) Performance Reference Model (PRM). Please use Table 2 and the PRM to identify the performance information pertaining to this major IT investment. Map all Measurement Indicators to the corresponding "Measurement Area" and "Measurement Grouping" identified in the PRM. There should be at least one Measurement Indicator for at least four different Measurement Areas (for each fiscal year). The PRM is available at [www.egov.gov](http://www.egov.gov).

Performance Information Table 2:

Fiscal Year	Measurement Area	Measurement Category	Measurement Grouping	Measurement Indicator	Baseline	Planned Improvement to the Baseline	Actual Results
2006	Customer Results	Timeliness and Responsiveness	Delivery Time	Delivery Time	Examination Results for USPTO practitioners provided within two months of receipt from testing vendor (current baseline changed with Web posting)	Provide daily Examination results for USPTO practitioners within two business days of receipt from testing vendor.	
2006	Mission and Business Results	Economic Development	Intellectual Property Protection	Intellectual Property Protection	Institute Trademark Trial and Appeal Board new Oppositions and Cancellations within 10 days on average. (PTO is currently exceeding the standard for this activity)	Institute Trademark Trial and Appeal Board new Oppositions and Cancellations within 10 days on average.	
2006	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Issue Final Trademark Trial and Appeal Board Decision within 10 weeks on average from the date ready for decision. (USPTO currently exceeds the acceptable standard for this activity)	Issue Final Trademark Trial and Appeal Board Decision within 10 weeks on average from the date ready for decision.	
2006	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Decide Trademark	Decide Trademark	

					Trial and Appeal Board Contested Motions within 10.3 weeks on average from receipt.	Trial and Appeal Board Contested Motions within 10.0 weeks on average from receipt.	
2006	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Institute Trademark Trial and Appeal Board Ex Parte Appeals within 10 days on average. USPTO is currently exceeding the standard for this activity.	Institute Trademark Trial and Appeal Board Ex Parte Appeals within 10 days on average.	
2006	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Process Trademark Trial and Appeal Board Extensions of Time to opposed within 5 days on average. USPTO is currently exceeding the standard for this activity.	Process Trademark Trial and Appeal Board Extensions of Time to opposed within 5 days on average.	
2006	Technology	Reliability and Availability	Availability	Availability	Adjudicated Case Tracking System maintains monthly average availability rate of 98% during scheduled hours of operation. This activity is currently not measured but will begin in FY 2006.	Adjudicated Case Tracking System maintains monthly average availability rate of 98% during scheduled hours of operation.	
2006	Technology	Reliability and Availability	Availability	Availability	Trademark Trial and Appeal Board Information System maintains monthly	Trademark Trial and Appeal Board Information System maintains monthly	



					average availability rate of 98% during scheduled hours of operation. USPTO does not currently measure this activity. Measurement starts in FY 2006	average availability rate of 98% during scheduled hours of operation.	
2006	Technology	Reliability and Availability	Availability	Availability	Office of Enrollment and Discipline Information System maintains monthly average availability rate of 98% during scheduled hours of operation. USPTO does not currently measure this activity. Measurement will begin in FY 2006.	Office of Enrollment and Discipline Information System maintains monthly average availability rate of 98% during scheduled hours of operation.	
2006	Technology	Reliability and Availability	Availability	Availability	Electronic System for Trademark Trial and Appeals available on average 98% of scheduled periods of operations. (Not currently measured. Measurement begins October, 2005)	Electronic System for Trademark Trial and Appeals available on average 98% of scheduled periods of operations.	
2007	Customer Results	Timeliness and Responsiveness	Delivery Time	Delivery Time	Provide daily Examination results for USPTO practitioners within two business days of receipt from testing vendor.	Provide daily Examination results for USPTO practitioners within two business days of receipt from testing vendor.	

2007	Mission and Business Results	Economic Development	Intellectual Property Protection	Intellectual Property Protection	Institute Trademark Trial and Appeal Board new Oppositions and Cancellations within 10 days on average.	Institute Trademark Trial and Appeal Board new Oppositions and Cancellations within 8 days on average.	
2007	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Issue Final Trademark Trial and Appeal Board Decision within 10 weeks on average from the date ready for decision.	Issue Final Trademark Trial and Appeal Board Decision within 10 weeks on average from the date ready for decision.	
2007	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Decide Trademark Trial and Appeal Board Contested Motions within 10.0 weeks on average from receipt.	Decide Trademark Trial and Appeal Board Contested Motions within 10.0 weeks on average from receipt.	
2007	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Institute Trademark Trial and Appeal Board Ex Parte Appeals within 10 days on average.	Institute Trademark Trial and Appeal Board Ex Parte Appeals within 8 days on average.	
2007	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Process Trademark Trial and Appeal Board Extensions of Time to opposed within 5 days on average.	Process Trademark Trial and Appeal Board Extensions of Time to opposed within 5 days on average.	
2007	Technology	Reliability and Availability	Availability	Availability	Adjudicated Case Tracking System maintains monthly average availability rate of 98% during scheduled hours of operation.	Adjudicated Case Tracking System maintains monthly average availability rate of 98% during scheduled hours of operation.	
2007	Technology	Reliability and	Availability	Availability	Trademark	Trademark	

		Availability			Trial and Appeal Board Information System maintains monthly average availability rate of 98% during scheduled hours of operation.	Trial and Appeal Board Information System maintains monthly average availability rate of 98% during scheduled hours of operation.	
2007	Technology	Reliability and Availability	Availability	Availability	Office of Enrollment and Discipline Information System maintains monthly average availability rate of 98% during scheduled hours of operation.	Office of Enrollment and Discipline Information System maintains monthly average availability rate of 98% during scheduled hours of operation.	
2007	Technology	Reliability and Availability	Availability	Availability	Electronic System for Trademark Trial and Appeals available on average 98% of scheduled periods of operations.	Electronic System for Trademark Trial and Appeals available on average 98% of scheduled periods of operations.	
2008	Customer Results	Timeliness and Responsiveness	Delivery Time	Delivery Time	Provide daily Examination results for USPTO practitioners within two business days of receipt from testing vendor.	Provide daily Examination results for USPTO practitioners within two business days of receipt from testing vendor.	
2008	Mission and Business Results	Economic Development	Intellectual Property Protection	Intellectual Property Protection	Institute Trademark Trial and Appeal Board new Oppositions and Cancellations within 10 days on average.	Institute Trademark Trial and Appeal Board new Oppositions and Cancellations within 10 days on average.	
2008	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Issue Final Trademark Trial and Appeal Board	Issue Final Trademark Trial and Appeal Board	

					Decision within 10 weeks on average from the date ready for decision.	Decision within 10 weeks on average from the date ready for decision.	
2008	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Decide Trademark Trial and Appeal Board Contested Motions within 10.0 weeks on average from receipt.	Decide Trademark Trial and Appeal Board Contested Motions within 10.0 weeks on average from receipt.	
2008	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Institute Trademark Trial and Appeal Board Ex Parte Appeals within 10 days on average.	Institute Trademark Trial and Appeal Board Ex Parte Appeals within 10 days on average.	
2008	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Process Trademark Trial and Appeal Board Extensions of Time to opposed within 5 days on average.	Process Trademark Trial and Appeal Board Extensions of Time to opposed within 5 days on average.	
2008	Technology	Reliability and Availability	Availability	Availability	Adjudicated Case Tracking System maintains monthly average availability rate of 98% during scheduled hours of operation.	Adjudicated Case Tracking System maintains monthly average availability rate of 98% during scheduled hours of operation.	
2008	Technology	Reliability and Availability	Availability	Availability	Trademark Trial and Appeal Board Information System maintains monthly average availability rate of 98% during scheduled hours of operation.	Trademark Trial and Appeal Board Information System maintains monthly average availability rate of 98% during scheduled hours of operation.	
2008	Technology	Reliability and Availability	Availability	Availability	Office of Enrollment	Office of Enrollment and	

					and Discipline Information System maintains monthly average availability rate of 98% during scheduled hours of operation.	Discipline Information System maintains monthly average availability rate of 98% during scheduled hours of operation.	
2008	Technology	Reliability and Availability	Availability	Availability	Electronic System for Trademark Trial and Appeals available on average 98% of scheduled periods of operations.	Electronic System for Trademark Trial and Appeals available on average 98% of scheduled periods of operations.	
2009	Customer Results	Timeliness and Responsiveness	Delivery Time	Delivery Time	Provide daily Examination results for USPTO practitioners within two business days of receipt from testing vendor.	Provide daily Examination results for USPTO practitioners within two business days of receipt from testing vendor.	
2009	Mission and Business Results	Economic Development	Intellectual Property Protection	Intellectual Property Protection	Institute Trademark Trial and Appeal Board new Oppositions and Cancellations within 10 days on average.	Institute Trademark Trial and Appeal Board new Oppositions and Cancellations within 10 days on average.	
2009	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Issue Final Trademark Trial and Appeal Board Decision within 10 weeks on average from the date ready for decision.	Issue Final Trademark Trial and Appeal Board Decision within 10 weeks on average from the date ready for decision.	
2009	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Decide Trademark Trial and Appeal Board Contested Motions within 10.0 weeks on	Decide Trademark Trial and Appeal Board Contested Motions within 10.0 weeks on average from	

					average from receipt.	receipt.	
2009	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Institute Trademark Trial and Appeal Board Ex Parte Appeals within 10 days on average.	Institute Trademark Trial and Appeal Board Ex Parte Appeals within 10 days on average.	
2009	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Process Trademark Trial and Appeal Board Extensions of Time to opposed within 5 days on average.	Process Trademark Trial and Appeal Board Extensions of Time to opposed within 5 days on average.	
2009	Technology	Reliability and Availability	Availability	Availability	Adjudicated Case Tracking System maintains monthly average availability rate of 98% during scheduled hours of operation.	Adjudicated Case Tracking System maintains monthly average availability rate of 98% during scheduled hours of operation.	
2009	Technology	Reliability and Availability	Availability	Availability	Trademark Trial and Appeal Board Information System maintains monthly average availability rate of 98% during scheduled hours of operation.	Trademark Trial and Appeal Board Information System maintains monthly average availability rate of 98% during scheduled hours of operation.	
2009	Technology	Reliability and Availability	Availability	Availability	Office of Enrollment and Discipline Information System maintains monthly average availability rate of 98% during scheduled hours of operation.	Office of Enrollment and Discipline Information System maintains monthly average availability rate of 98% during scheduled hours of operation.	
2009	Technology	Reliability and Availability	Availability	Availability	Electronic System for	Electronic System for	

					Trademark Trial and Appeals available on average 98% of scheduled periods of operations.	Trademark Trial and Appeals available on average 98% of scheduled periods of operations.	
2010	Customer Results	Timeliness and Responsiveness	Delivery Time	Delivery Time	Provide daily Examination results for USPTO practitioners within two business days of receipt from testing vendor.	Provide daily Examination results for USPTO practitioners within two business days of receipt from testing vendor.	
2010	Mission and Business Results	Economic Development	Intellectual Property Protection	Intellectual Property Protection	Institute Trademark Trial and Appeal Board new Oppositions and Cancellations within 10 days on average.	Institute Trademark Trial and Appeal Board new Oppositions and Cancellations within 10 days on average.	
2010	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Issue Final Trademark Trial and Appeal Board Decision within 10 weeks on average from the date ready for decision.	Issue Final Trademark Trial and Appeal Board Decision within 10 weeks on average from the date ready for decision.	
2010	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Decide Trademark Trial and Appeal Board Contested Motions within 10.0 weeks on average from receipt.	Decide Trademark Trial and Appeal Board Contested Motions within 10.0 weeks on average from receipt.	
2010	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Institute Trademark Trial and Appeal Board Ex Parte Appeals within 10 days on average.	Institute Trademark Trial and Appeal Board Ex Parte Appeals within 10 days on average.	
2010	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Process Trademark Trial and Appeal Board	Process Trademark Trial and Appeal Board	

					Extensions of Time to opposed within 5 days on average.	Extensions of Time to opposed within 5 days on average.	
2010	Technology	Reliability and Availability	Availability	Availability	Adjudicated Case Tracking System maintains monthly average availability rate of 98% during scheduled hours of operation.	Adjudicated Case Tracking System maintains monthly average availability rate of 98% during scheduled hours of operation.	
2010	Technology	Reliability and Availability	Availability	Availability	Trademark Trial and Appeal Board Information System maintains monthly average availability rate of 98% during scheduled hours of operation.	Trademark Trial and Appeal Board Information System maintains monthly average availability rate of 98% during scheduled hours of operation.	
2010	Technology	Reliability and Availability	Availability	Availability	Office of Enrollment and Discipline Information System maintains monthly average availability rate of 98% during scheduled hours of operation.	Office of Enrollment and Discipline Information System maintains monthly average availability rate of 98% during scheduled hours of operation.	
2010	Technology	Reliability and Availability	Availability	Availability	Electronic System for Trademark Trial and Appeals available on average 98% of scheduled periods of operations.	Electronic System for Trademark Trial and Appeals available on average 98% of scheduled periods of operations.	
2011	Customer Results	Timeliness and Responsiveness	Delivery Time	Delivery Time	Provide daily Examination results for USPTO practitioners within two business	Provide daily Examination results for USPTO practitioners within two business days	



					days of receipt from testing vendor.	of receipt from testing vendor.	
2011	Mission and Business Results	Economic Development	Intellectual Property Protection	Intellectual Property Protection	Institute Trademark Trial and Appeal Board new Oppositions and Cancellations within 10 days on average.	Institute Trademark Trial and Appeal Board new Oppositions and Cancellations within 10 days on average.	
2011	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Issue Final Trademark Trial and Appeal Board Decision within 10 weeks on average from the date ready for decision.	Issue Final Trademark Trial and Appeal Board Decision within 10 weeks on average from the date ready for decision.	
2011	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Decide Trademark Trial and Appeal Board Contested Motions within 10.0 weeks on average from receipt.	Decide Trademark Trial and Appeal Board Contested Motions within 10.0 weeks on average from receipt.	
2011	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Institute Trademark Trial and Appeal Board Ex Parte Appeals within 10 days on average.	Institute Trademark Trial and Appeal Board Ex Parte Appeals within 10 days on average.	
2011	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Process Trademark Trial and Appeal Board Extensions of Time to opposed within 5 days on average.	Process Trademark Trial and Appeal Board Extensions of Time to opposed within 5 days on average.	
2011	Technology	Reliability and Availability	Availability	Availability	Adjudicated Case Tracking System maintains monthly average availability rate of 98% during	Adjudicated Case Tracking System maintains monthly average availability rate of 98% during scheduled	

					scheduled hours of operation.	hours of operation.	
2011	Technology	Reliability and Availability	Availability	Availability	Trademark Trial and Appeal Board Information System maintains monthly average availability rate of 98% during scheduled hours of operation.	Trademark Trial and Appeal Board Information System maintains monthly average availability rate of 98% during scheduled hours of operation.	
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2011	Technology	Reliability and Availability	Availability	Availability	Electronic System for Trademark Trial and Appeals available on average 98% of scheduled periods of operations.	Electronic System for Trademark Trial and Appeals available on average 98% of scheduled periods of operations.	
2012	Customer Results	Timeliness and Responsiveness	Delivery Time	Delivery Time	Provide daily Examination results for USPTO practitioners within two business days of receipt from testing vendor.	Provide daily Examination results for USPTO practitioners within two business days of receipt from testing vendor.	
2012	Mission and Business Results	Economic Development	Intellectual Property Protection	Intellectual Property Protection	Institute Trademark Trial and Appeal Board new Oppositions and Cancellations within 10 days on average.	Institute Trademark Trial and Appeal Board new Oppositions and Cancellations within 10 days on average.	

2012	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Issue Final Trademark Trial and Appeal Board Decision within 10 weeks on average from the date ready for decision.	Issue Final Trademark Trial and Appeal Board Decision within 10 weeks on average from the date ready for decision.	
2012	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Decide Trademark Trial and Appeal Board Contested Motions within 10.0 weeks on average from receipt.	Decide Trademark Trial and Appeal Board Contested Motions within 10.0 weeks on average from receipt.	
2012	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Institute Trademark Trial and Appeal Board Ex Parte Appeals within 10 days on average.	Institute Trademark Trial and Appeal Board Ex Parte Appeals within 10 days on average.	
2012	Processes and Activities	Cycle Time and Resource Time	Cycle Time	Cycle Time	Process Trademark Trial and Appeal Board Extensions of Time to opposed within 5 days on average.	Process Trademark Trial and Appeal Board Extensions of Time to opposed within 5 days on average.	
2012	Technology	Reliability and Availability	Availability	Availability	Adjudicated Case Tracking System maintains monthly average availability rate of 98% during scheduled hours of operation.	Adjudicated Case Tracking System maintains monthly average availability rate of 98% during scheduled hours of operation.	
2012	Technology	Reliability and Availability	Availability	Availability	Trademark Trial and Appeal Board Information System maintains monthly average availability rate of 98% during scheduled	Trademark Trial and Appeal Board Information System maintains monthly average availability rate of 98% during scheduled	

					hours of operation.	hours of operation.	
2012	Technology	Reliability and Availability	Availability	Availability	Office of Enrollment and Discipline Information System maintains monthly average availability rate of 98% during scheduled hours of operation.	Office of Enrollment and Discipline Information System maintains monthly average availability rate of 98% during scheduled hours of operation.	
2012	Technology	Reliability and Availability	Availability	Availability	Electronic System for Trademark Trial and Appeals available on average 98% of scheduled periods of operations.	Electronic System for Trademark Trial and Appeals available on average 98% of scheduled periods of operations.	

#### I.E. Security and Privacy

In order to successfully address this area of the business case, each question below must be answered at the system/application level, not at a program or agency level. Systems supporting this investment on the planning and operational systems security tables should match the systems on the privacy table below. Systems on the Operational Security Table must be included on your agency FISMA system inventory and should be easily referenced in the inventory (i.e., should use the same name or identifier).

All systems supporting and/or part of this investment should be included in the tables below, inclusive of both agency owned systems and contractor systems. For IT investments under development, security and privacy planning must proceed in parallel with the development of the system/s to ensure IT security and privacy requirements and costs are identified and incorporated into the overall lifecycle of the system/s.

Please respond to the questions below and verify the system owner took the following actions:

1. Have the IT security costs for the system(s) been identified and integrated into the overall costs of the investment:	Yes
a. If "yes," provide the "Percentage IT Security" for the budget year:	1
2. Is identifying and assessing security and privacy risks a part of the overall risk management effort for each system supporting or part of this investment.	Yes

5. Have any weaknesses, not yet remediated, related to any of the systems part of or supporting this investment been identified by the agency or IG? Yes

a. If "yes," have those weaknesses been incorporated agency's plan of action and milestone process? Yes

6. Indicate whether an increase in IT security funding is requested to remediate IT security weaknesses? No

a

#### 8. Planning & Operational Systems - Privacy Table:

Name of System	Is this a new system?	Is there a Privacy Impact Assessment (PIA) that covers this system?	Is the PIA available to the public?	Is a System of Records Notice (SORN) required for this system?	Was a new or amended SORN published in FY 06?
USPTO Intellectual Property Leadership (Policy) Management Support System - PTOL-001-00	No	Yes.	Yes.	Yes	Yes, because the existing Privacy Act system of records was substantially revised in FY 06.

#### I.F. Enterprise Architecture (EA)

In order to successfully address this area of the business case and capital asset plan you must ensure the investment is included in the agency's EA and Capital Planning and Investment Control (CPIC) process, and is mapped to and supports the FEA. You must also ensure the business case demonstrates the relationship between the investment and the business, performance, data, services, application, and technology layers of the agency's EA.

1. Is this investment included in your agency's target enterprise architecture? Yes

a. If "no," please explain why?

2. Is this investment included in the agency's EA Transition Strategy? No

a. If "yes," provide the investment name as identified in the Transition Strategy provided in the agency's most recent annual EA Assessment.

b. If "no," please explain why?

The USPTO is taking action to formalize its USPTO Enterprise Architecture (UEA) and to move forward with the implementation of the UEA program consistent with the Federal Enterprise Architecture Guidance. The following activities have already occurred: Resources have been secured for this effort: - Chief Architect has been designated - UEA lead has been assigned - UEA team has been established - Key OCIO and business area POC have been identified - Working-level UEA repository has been created - Contract has been awarded to MITRE, a FFRDC, for support in implementing the UEA program The immediate UEA goal is to establish, consistent with FEA guidance, a level of maturity in the Completion and Use capability areas to support a level 3 assessments, i.e. attain green status, by the end of FY06. The consensus of the UEA team is that the USPTO is well positioned to achieve this goal. Many of the supporting artifacts and processes are already in place. These artifacts and processes are being reviewed to determine if any changes are needed or if new processes and/or artifacts need to be created/implemented. A UEA framework will be formalized and existing business area processes and activity costs models are being analyzed as data sources for the definition of the business and performance architectures. Existing OCIO IT Application, Technical, and Standards Roadmaps are being reviewed as source data to instantiate the needed sequencing strategy/transition plans. Many of the governance process are already in place. Major IT investments currently go through a CPIC process and the existing SDLC is being modified. Both of these established processes are being reviewed to ensure that their relation to the UEA is clear and that UEA is position to inform those processes and influence near and long term IT investments. During FY07, the goal is to build on the successes of the established architectures and processes and to continue to build out the architectures across the USPTO businesses areas, and to ensure that the defined UEA governance processes and institutionalized across the USPTO and that we have robust UEA that truly informs and

influences IT investment decisions and provides measurable evidence of efficiencies and results.

### 3. Service Reference Model (SRM) Table:

Identify the service components funded by this major IT investment (e.g., knowledge management, content management, customer relationship management, etc.). Provide this information in the format of the following table. For detailed guidance regarding components, please refer to <http://www.whitehouse.gov/omb/egov/>.

Agency Component Name	Agency Component Description	Service Domain	FEA SRM Service Type	FEA SRM Component	FEA Service Component Reused Name	FEA Service Component Reused UPI	Internal or External Reuse?	BY Funding Percentage
Electronic System for Trademark Trials and Appeals (ESTTA)	Allows external USPTO customers to submit filings before the Trademark Trial and Appeal Board (TTAB) electronically using the Internet.	Customer Services	Customer Initiated Assistance	Asset Cataloging / Identification			No Reuse	13
Office of Enrollment and Discipline Information System (OEDIS)	Provides the Office of Enrollment and Discipline ( OED ) with an automated means to track applications from applicants who have applied for eligibility to practice patent law before the USPTO through enrollment in the examination process.	Customer Services	Customer Initiated Assistance	Asset Cataloging / Identification			No Reuse	33
E-FOIA	A resource management system that enables USPTO to comply with the Freedom of Information Act (FOIA)	Digital Asset Services	Content Management	Asset Cataloging / Identification			No Reuse	9
General Counsel Library System	This system is used to consolidate the electronic library catalogs of the organizations within the Office of General Counsel and to make each collection available to all OGC employees.	Digital Asset Services	Content Management	Asset Cataloging / Identification			No Reuse	4

Office of Legislative and Int'l Affairs Document System	An automated document management system to provide OLIA with the capabilities of scanning indexing retrieving and searching the documents.	Digital Asset Services	Document Management	Library / Storage			No Reuse	1
Adjudicated Case Tracking System (ACTS)	Electronically tracks, records and manages appeals and interference information	Process Automation Services	Routing and Scheduling	Asset Cataloging / Identification			No Reuse	7
General Counsel Case Tracking System	This system provides the USPTO's Office of the General Counsel with a solution for managing information people schedules communications and documents on client files.	Process Automation Services	Routing and Scheduling	Asset Cataloging / Identification			No Reuse	7
Trademark Trial and Appeal Board Information System (TTABIS)	A workflow system used by all TTAB employees to process TTAB filings and update TTAB proceedings.	Process Automation Services	Routing and Scheduling	Asset Cataloging / Identification	Access Control		No Reuse	26

**Use existing SRM Components or identify as "NEW". A "NEW" component is one not already identified as a service component in the FEA SRM.**

**A reused component is one being funded by another investment, but being used by this investment. Rather than answer yes or no, identify the reused service component funded by the other investment and identify the other investment using the Unique Project Identifier (UPI) code from the OMB Ex 300 or Ex 53 submission.**

**'Internal' reuse is within an agency. For example, one agency within a department is reusing a service component provided by another agency within the same department. 'External' reuse is one agency within a department reusing a service component provided by another agency in another department. A good example of this is an E-Gov initiative service being reused by multiple organizations across the federal government.**

**Please provide the percentage of the BY requested funding amount used for each service component listed in the table. If external, provide the funding level transferred to another agency to pay for the service.**

#### 4. Technical Reference Model (TRM) Table:

**To demonstrate how this major IT investment aligns with the FEA Technical Reference Model (TRM), please list the Service Areas, Categories, Standards, and Service Specifications**

supporting this IT investment.				
FEA SRM Component	FEA TRM Service Area	FEA TRM Service Category	FEA TRM Service Standard	Service Specification (i.e. vendor or product name)
Case Management	Component Framework	Data Management	Database Connectivity	ElStream
Case Management	Service Access and Delivery	Access Channels	Other Electronic Channels	Gavel and Gown Amicus Attorney
Library / Storage	Service Platform and Infrastructure	Database / Storage	Database	InMagic
Case Management	Service Platform and Infrastructure	Database / Storage	Database	Oracle
Reservations / Registration	Service Platform and Infrastructure	Database / Storage	Database	Oracle
Library / Storage	Service Platform and Infrastructure	Delivery Servers	Application Servers	Documentum
Self-Service	Service Platform and Infrastructure	Delivery Servers	Web Servers	HP 9000L
NEW	Service Platform and Infrastructure	Support Platforms	Platform Dependent	Questionmark Corp. Windows Authoring Manager

Service Components identified in the previous question should be entered in this column. Please enter multiple rows for FEA SRM Components supported by multiple TRM Service Specifications

In the Service Specification field, Agencies should provide information on the specified technical standard or vendor product mapped to the FEA TRM Service Standard, including model or version numbers, as appropriate.

5. Will the application leverage existing components and/or applications across the Government (i.e., FirstGov, Pay.Gov, etc)?

No

a. If "yes," please describe.

6. Does this investment provide the public with access to a government automated information system?

No

a. If "yes," does customer access require specific software (e.g., a specific web browser version)?

1. If "yes," provide the specific product name(s) and version number(s) of the required software and the date when the public will be able to access this investment by any software (i.e. to ensure equitable and timely access of government information and services).

## Exhibit 300: Part II: Planning, Acquisition and Performance Information

### II.A. Alternatives Analysis



**Part II should be completed only for investments identified as "Planning" or "Full Acquisition," or "Mixed Life-Cycle" investments in response to Question 6 in Part I, Section A above.**

**In selecting the best capital asset, you should identify and consider at least three viable alternatives, in addition to the current baseline, i.e., the status quo. Use OMB Circular A- 94 for all investments, and the Clinger Cohen Act of 1996 for IT investments, to determine the criteria you should use in your Benefit/Cost Analysis.**

- |  |           |
|--|-----------|
| <b>1. Did you conduct an alternatives analysis for this project?</b>             | Yes       |
| <b>a. If "yes," provide the date the analysis was completed?</b>                 | 7/26/2006 |
| <b>b. If "no," what is the anticipated date this analysis will be completed?</b> |           |
| <b>c. If no analysis is planned, please briefly explain why:</b>                 |           |

## 2. Alternative Analysis Results:

Use the results of your alternatives analysis to complete the following table:

Alternative Analyzed	Description of Alternative
Alternative 1	Provide electronic processing of Patent Application Appeals and Patent File Wrapper. Process images from and to Trademark Image Capture and Retrieval System (TICRS). Provide automated and secure access for patent practitioners to take or retake the certification examination. Receive fees for motions to amend Trademark registrations. Post FOIA documents electronically for the Solicitor and the Commissioner of Patents. Provide systems maintenance in support of the Office of General Counsel.
Alternative 2	Post Board of Patent Appeals and Interferences decisions and Formal Declarations to Patent File Wrapper. Use COTS to automate the administrative system of the Office of the General Counsel. Receive fees for motions to amend Trademark registrations. Post FOIA documents electronically for the Solicitor and the Commissioner of Patents. Provide systems maintenance in support of the Office of General Counsel.
Alternative 3	Provide electronic processing of Patent Application Appeals and Patent File Wrapper. Process images from and to TICRS. Provide secure, automated access for patent practitioners to take the certification examination. Receive fees for motions to amend Trademark registrations. Post FOIA documents electronically for the Solicitor and the Commissioner of Patents. Establish an electronic hearing room for appeals and hearings. Provide systems maintenance in support of the Office of General Counsel.
Alternative 4	Provide systems maintenance in support of the Office of General Counsel. This is the status quo alternative

## 3. Which alternative was selected by the Agency's Executive/Investment Committee and why was it chosen?

Alternative 1 was selected. This alternative provides for a significant advancement toward electronic processing of Patent Appeal while satisfying maximum desired need in all areas of the Office of the General Counsel. Alternative 1 incurs the least amount of documented risk throughout the program. It provides the highest probability that all tasks can be accomplished within the desired fiscal year unlike Alternative 3 that would take longer and incur greater risk through installation of expensive and risky

COTS. Alternative 1 accomplishes more than Alternative 2 at a lesser cost because Alternative 2 attempts a technological solution that may provide more automation than is actually require. Alternative 4 is unsatisfactory because it fails to meet the expanded requirements of the General Counsel and will result in maintenance costs that spiral ever upward over the length of the life cycle. The selected alternative was chosen using a Cost Effectiveness Analysis (CEA) in lieu of a more traditional Cost Benefit Analysis (CBA) with a Return on Investment (ROI). This was done due to the complexity of quantifying benefits. Since each alternative represents a similar benefit or desired outcome, a CEA allows us to compare each alternative to determine the most efficient and cost effective way to reach those desired outcomes or benefits.

#### 4. What specific qualitative benefits will be realized?

The implementation of this investment is the culmination of achievement of the goals established by the USPTO Strategic Plan and the President's Management Agenda. In addition to the furtherance of eGovernment, the enhanced ability of the agency to expeditiously process appeals and interferences will provide assurance of intellectual property protection for inventors and their attorneys and agents. Expanding the capacity of automated support for intellectual property systems can produce significant savings in storage space and clerical help and improve the productivity in the Office of the General Counsel. Expedited processing and responsiveness within the Office of the General Counsel will be accurately quantified through a series of performance measures that are in place and for which accurate metrics are being collected. This return is based on the incidences of cost avoidance associated with overall development of intellectual property protection systems and selected enhancements, implementation of measures to reduce the requirement for extra space and employees, and through continuation of in-process improvements to the current suite of intellectual property protection automated functions.

## II.B. Risk Management

**You should have performed a risk assessment during the early planning and initial concept phase of this investment's life-cycle, developed a risk-adjusted life-cycle cost estimate and a plan to eliminate, mitigate or manage risk, and be actively managing risk throughout the investment's life-cycle.**

<b>1. Does the investment have a Risk Management Plan?</b>	Yes
<b>a. If "yes," what is the date of the plan?</b>	7/31/2006
<b>b. Has the Risk Management Plan been significantly changed since last year's submission to OMB?</b>	No
<b>c. If "yes," describe any significant changes:</b>	
<b>2. If there currently is no plan, will a plan be developed?</b>	
<b>a. If "yes," what is the planned completion date?</b>	
<b>b. If "no," what is the strategy for managing the risks?</b>	

### 3. Briefly describe how investment risks are reflected in the life cycle cost estimate and investment schedule:

Investment risks are reflected in the life cycle cost estimate and investment schedule to allow for correct accounting of risk events that occur. Risk events are classified as "unknown unknowns" or "known unknowns", where "unknown unknowns" are risks that are uncontrollable and unquantifiable or not identified and accounted for, while "known unknowns" are risks that are identified and provisions were made for them. Investment risks that are "unknown unknowns" are generally handled through the use of management reserves, which can reduce the impact of deviation in cost and schedule. Management reserves are used at the discretion of senior management. Provisions for "known unknowns" are accommodated through risk-adjusted costs developed during budget formulation.

## II.C. Cost and Schedule Performance

1. Does the earned value management system meet the criteria in ANSI/EIA Standard-748? No

2. Answer the following questions about current cumulative cost and schedule performance. The numbers reported below should reflect current actual information. (Per OMB requirements Cost/Schedule Performance information should include both Government and Contractor Costs):

a. What is the Planned Value (PV)?	376.80
b. What is the Earned Value (EV)?	374.04
c. What is the actual cost of work performed (AC)?	335.17
d. What costs are included in the reported Cost/Schedule Performance information (Government Only/Contractor Only/Both)?	Contractor and Government
e. "As of" date:	7/31/2006
3. What is the calculated Schedule Performance Index (SPI = EV/PV)?	0.9930
4. What is the schedule variance (SV = EV-PV)?	-2.77
5. What is the calculated Cost Performance Index (CPI = EV/AC)?	1.1160
6. What is the cost variance (CV=EV-AC)?	38.86
7. Is the CV% or SV% greater than +/- 10%? (CV%= CV/EV x 100; SV%= SV/PV x 100)	Yes
a. If "yes," was it the?	CV

b. If "yes," explain the variance:

See below

d. What is most current "Estimate at Completion"?	494.28
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8. Have any significant changes been made to the baseline during the past fiscal year?	No
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8. If "yes," when was it approved by OMB?	No
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### Comparison of Initial Baseline and Current Approved Baseline

Milestone Number	Description of Milestone	Initial Baseline		Current Baseline				Current Baseline Variance		Percent Complete
		Planned Completion Date	Total Cost (Estimated)	Completion Date		Total Cost		Schedule (# days)	Cost	
				Planned	Actual	Planned	Actual			
11	FY06 DME	09/30/2006	\$1.245	09/30/2006		\$0.377	\$0.335		(\$0.049)	76%
12	FY06 Operations and Maintenance	09/30/2006	\$5.428	09/30/2006		\$5.428	\$5.428		(\$0.905)	83.33%

13	FY07 Operations and Maintenance	09/30/2007	\$3.543	09/30/2007		\$3.543				%
14	FY08 Operations and Maintenance	09/30/2008	\$7.072	09/30/2008		\$7.072				%
<b>Project Totals</b>										